

164.1017.01

REMARKS:Status

After this response, claims 4 to 17, 35 to 58, and 60 to 97 are pending. Claims 4, 35, 50, 58, 60, 74, 89 and 97 are the independent ones of the pending claims. Reconsideration and further examination are respectfully requested.

Section 103 Rejections

Claims 4 to 17 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,430,193 (Raissinia) in view of U.S. Patent No. 6,499,022 (Dittmar). Applicants respectfully traverse this rejection.

As stated at MPEP § 2141(a), “In order to rely on a reference as a basis for rejection of an applicant’s invention, the reference must either be in the field of applicant’s endeavor or, if not, then be reasonably pertinent to the particular problem with which the invention was concerned.”

The present application is concerned with “wireless communication systems such as those including adaptive point to multipoint wireless communication” (abstract of the application). In contrast, Dittmar is concerned with “tuning servo parameter values in a disk drive” (Dittmar’s abstract). These are clearly different fields of endeavor.

A problem addressed by the present application is described in the Background of the Invention as follows:

164.1017.01

One problem with known systems is that multiple physical characteristics of the communication link between the sender and receiver can change substantially over relatively short time durations (for example, the distance between the sender and receiver or the equipment used by the sender or receiver). This is particularly so for characteristics related to interference, such as co-channel interference (CCI), and for multipath and multipoint effects, such as refraction or reflection resulting in intrasymbol interference and intersymbol interference. Moreover, these multiple physical characteristics can change independently of one another, and can have substantial and relatively unpredictable effects on one another. Selection of a set of parameters with which to optimize the communication link for one such physical characteristic can therefore be rendered less than optimal by changes in other such physical characteristics.

(page 3, lines 2 to 12, of the application). In contrast, a problem addressed Dittmar is described as follows:

Manual adjustment of the servo parameter values is difficult because many of the parameter settings in the servo system are dependant on other parameter settings so that adjustment of one parameter value affects the optimal setting for one or more other parameter values. Because of the inherent complexity of the process, the parameter values resulting from such a process are generally far from optimal. In addition, because of variations in physical characteristics between disk drives, optimal servo parameter values for one disk drive are often sub-optimal in other disk drives having the same design.

To Applicants, these problems appear to be substantially different from each other. The application is concerned with physical characteristics of a communication link that "can change substantially over relatively short time durations" and that "can change independently of one another." Dittmar is concerned with the "inherent complexity of the process" of determining optimal servo parameters and with the impact of "variations in physical characteristics of disk drives." Applicants submit that because the application and Dittmar are concerned with such different problems, it follows that

164.1017.01

Dittmar is not "reasonably pertinent to the particular problem with which the invention was concerned."

Because Dittmar is neither in the field of Applicants' endeavor nor reasonably pertinent to the particular problem with which Applicants' invention is concerned, Applicants respectfully submit that Dittmar is non-analogous art. Accordingly, reconsideration and withdrawal are respectfully requested of the § 103 rejection over Raissinia in view of Dittmar, as is allowance of claims 4 to 17.

Applicants also respectfully point out that claims 60 to 73, which were allowed, recite devices that perform the steps of claims 4 to 17.

Allowable Claims

Applicants thank the Examiner for the indication that the remaining pending claims are allowed.

Closing

Allowance of the entire application is respectfully requested at the Examiner's earliest convenience. Applicants' undersigned attorney can be reached at (614) 486-3585. All correspondence should continue to be directed to the address indicated below.

164.1017.01

Respectfully submitted,

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